

**UNITED STATES COURT OF APPEALS  
FOR THE EIGHTH CIRCUIT**

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No: 15-1930

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Farrell Cherry

Plaintiff - Appellant

v.

Siemens Healthcare Diagnostics, Inc.

Defendant - Appellee

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Appeal from U.S. District Court for the District of South Dakota - Rapid City  
(5:13-cv-05057-JLV)

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**JUDGMENT**

Before RILEY, Chief Judge, COLLOTON and KELLY, Circuit Judges.

This appeal from the United States District Court was submitted on the record of the district court and briefs of the parties.

After consideration, it is hereby ordered and adjudged that the judgment of the district court in this cause is affirmed in accordance with the opinion of this Court.

July 21, 2016

Order Entered in Accordance with Opinion:  
Clerk, U.S. Court of Appeals, Eighth Circuit.

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/s/ Michael E. Gans